

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : NO. 3:CR-09-000272  
vs. :  
: MICHAEL T. CONAHAN and : (JUDGE KOSIK)  
MARK A. CIAVARELLA, JR.

**MOTION OF DEFENDANT, MARK A. CIAVARELLA, JR.,**  
**TO DISMISS BASED UPON OUTRAGEOUS GOVERNMENT CONDUCT**

The defendant, Mark A. Ciavarella, Jr., by and through his undersigned counsel, joins in the Motion of the co-defendant, Michael T. Conahan, to Dismiss for Government Misconduct, for those reasons as set forth in the Motion and which are incorporated herein by reference.

/s/Al Flora, Jr.  
Al Flora, Jr., Esq.

/s/ William Ruzzo  
William Ruzzo, Esq.

Counsel for Ciavarella

**CERTIFICATE OF NON-CONCURRENCE**

Undersigned counsel contacted AUSA William Houser on March 1, 2010, and at this time, his office does not concur in the aforesaid motion.

/s/Al Flora, Jr.  
Al Flora, Jr., Esq.  
Counsel for Ciavarella